



Central Illinois Paralegal Association

An Affiliate of the National Association of Legal Assistants, Inc.

2009 CIPA Officers

President Crystal ("Chris") Thomas

President-elect Gale Grant

Treasurer Peter Paoli, CLA

Secretary Elizabeth ("Liz") Kamarer

NALA Liaison Debi D. Taylor, CLA



Member News & Notes

Ann Hill, ACP, received her designation in Social Security in June and also won her SSI appeal case in August. Her story of that appeal is reflected in this newsletter.

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Calendar of Events

October 12th – Election of Officers

5:30 pm

Monthly meeting to be held at the Midwest Food Bank
Veteran's Parkway
Bloomington, IL

November 10th – Monthly Meeting

5:30 pm

The Chateau
Veteran's Parkway
Bloomington, IL

December 4-5

CLA/CP Exam

December 8th – Holiday Party/Swearing In of Officers

5:30 pm

The Chateau
Veteran's Parkway
Bloomington, IL

Note: Every year the NALA Liaison is asked to submit a report about the events of the year for the Affiliate Annual Report. What follows is the submission for the NALA 2009 Convention.



2009 Affiliate Annual Report for the Central Illinois Paralegal Association

Allow me to introduce our 2009 Officers.

President	Crystal Thomas
President-elect	Gale Grant
Treasurer	Peter Paoli, CP
Secretary	Elizabeth ("Liz") Kamarer
NALA Liaison	Debi D. Taylor, CLA

As the name suggests, the **Central Illinois Paralegal Association** ("CIPA") was once again proud to host meetings in several central Illinois cities throughout the year. Colleagues from Bloomington, Champaign, Peoria and several smaller towns gathered to exchange information and listen to some marvelous speakers this past year.

We heard **Ellyn J. Bullock** from the Law Office of Ellyn J. Bullock in Champaign, IL discuss "Transracial and partner adoptions & Domestic and International Adoptions." **Betty Klise**, President of Legal AssisTemp, Inc. in Peoria, IL discussed "The Job Climate in These Economic Times." "The Social Lawyer - Law and Technology" was presented by **Janice K. Forrest**, Esq. Renowned speaker **Vicki Voisin**, ACP presented Ethics Tips: How To Plan For and Meet Crucial Deadlines via conference phone during our April meeting hosted by Midstate College in Peoria, IL.

While attending a meeting in Morton, IL we were privileged to hear Volunteer Lawyer Program Coordinator, **Kristin C. M. Waller**, Esq. of Prairie State Legal Services in Bloomington, IL as she enlightened us on "Pro Bono Opportunities for Paralegals." It was our pleasure to have the Coordinator of Public Services Programs at Illinois Central College in Peoria, IL, **Michelle D. Weghorst**, present a program on "Paralegal: Education through Employment." A special honor was to listen to Assistant United States Attorney **David Hoff** from Champaign, IL present "Paralegals do Justice in the United States Attorney's Office."

These are but a sampling of the educational and interesting guest speakers that CIPA hosted during this past year. We also try to include paralegals as speakers as we find their varied backgrounds of interest. It also offers a forum for our peers to receive an opportunity to practice speaking in front of a group.

The Association held their **19th Annual Educational Seminar** on September 19, 2008. A record 58 attendees were honored to listen to a Keynote Address by National Association of Legal Assistants, First

Vice President for 2008-2009, **Karen Greer McGee**, ACP. She gave an excellent presentation on “*Working Magic in Your Career.*”

The attendees learned the difference between “*Traditional and Roth IRA’s*” thanks to State Farm Insurance Companies Counsel **Gary M. Yeagle**. He had a unique gift of informing yet making you laugh at the same time! A captivating “Paralegal Symposium” was hosted by Sears Holding Corporation Discovery Manager **Deborah A. Ratterman** from Chicago. She was joined by Regional Vice-President **Sarah J. Brûlé** of Robert Half Legal and Litigation Paralegal Manager **David Reed** of Lovells in Chicago. Their topic, “Diversity of Employment Opportunities” was well received by the audience who participated in a lively discussion.

After lunch, the group was educated by Client Development Consultant **Craig Smith**, who is with FindLaw, a Thomson Reuters business. Mr. Smith shared many new features of FindLaw using the basis of “*Internet Marketing Solutions for Law Firms*” as his topic.

Victoria C. Kramer, Paralegal Manager at Caterpillar, Inc., in Peoria, IL presented “*Career Management Strategies*” as her topic. CIPA’s very own **Deb Monke**, ACP, (and not to mention a former President of NALA!) Intellectual Property Administrator at State Farm Insurance Companies in Bloomington, IL made us feel like children again as we were inspired to “*Be Like Playdoh...*”

CIPA distributes a quarterly newsletter entitled the *CIPA Connection*. In it, we feature local and national authors which inspire us on issues as varied as ethics, organizational tips, and organic labeling. **Peter G. Paoli**, CP, prepares a fun yet educational addition, *Lexicographical Lessons*, for each newsletter. One of the key tools we have in our profession is the gift of knowing words. Whether we are dealing with attorneys, judges, or other legal assistants, we establish ourselves on the level of vocabulary we use to communicate (i.e., in conversations or in writing). We should therefore take the extra time to familiarize ourselves with a broad array of vocabulary. This is a great way to learn and/or revisit words in our profession.

Here are two examples:

Dogmatic *adj* authoritatively and or arrogantly assertive of principles which often cannot be proved; stubbornly opinionated

Garrulous *adj* pointlessly talkative, talking too much

We also like to have some fun and include family members and friends. Last fall we spent an evening enjoying a **dinner theater** in Goodfield, IL. Recently, CIPA sponsored a **trivia team** for inclusion in the annual Prairie States Legal Services (*pro bono*) charity event for McLean County, IL. Several CIPA members and some guests had a fabulous evening of laughs as we tried (in vain) to come in first place. Last year we came in second so we have a reputation to keep up! It is all in good fun and for a good cause and it brings good publicity to the Association.

CIPA is comprised of approximately 50 members and we added 8 new members this past year. We are thankful that our numbers continue to grow.

Some of our members were lucky enough to travel to the **2008 NALA Convention** last summer. They came back and reported that an excellent time was had by all.

The Central Illinois Paralegal Association is proud to be an affiliate of the National Association of Legal Assistants, Inc.

UPDATE

NALA Annual Membership Meeting July 10, 2009 San Diego, California Deb Monke, ACP

The annual membership meeting is a time to express your voice by voting. It also used to mean standing in a long line to check in before the meeting, and, the meeting possibly becoming rather long due to voting procedures. Not any more! NALA members now vote electronically.

As a long time member of NALA, I must say it was excellent walking up to a voting station, putting in my password information and voting. Members now have a couple of days to vote, including up to noon on the day of the annual meeting. This also means quick results, allowing the president to announce election results early in the meeting. This year, all members also got to voice their opinion by getting to vote for all regional directors. (On a personal note, I have supported this concept for many years, glad to see it happen.) Once again, NALA working towards providing opportunities for the membership.

Changing the voting process provides more time in the afternoon of the annual meeting, thus the afternoon began with a speaker on how to market yourself. Good information to receive no matter what stage your career. The official portion of the meeting included election results, recognition of members "retiring" from volunteer work and the presentation of annual awards.

In March 2009 the Board reelected Linda Wolf, ACP for a second term as President of NALA. You can meet Ms. Wolf at the fall CIPA seminar. For more election results and other information, see www.nala.org/anmtnmembers.aspx.



In Memoriam

Debi D. Taylor, CLA

In February of this year CIPA lost a very dear friend and member. Janie "Cookie" Houston passed away at her home in Bloomington at the young age of 55. The visitation was held at Mount Pisgah Baptist Church where Janie was a long time member. She was buried in Evergreen Memorial Cemetary.

Many of us remember the first time Janie attended one of our meetings. She absolutely lit up the room when she walked in. She always had a ready smile and was such a delight to be with. Her ever-positive personality will be missed.

Janie attended Heartland College and graduated from Illinois State University. She studied political science, criminal law, and criminal justice. She traveled to the United Kingdom with Western Illinois University to study the criminal justice and legal system in Britain at Richmond University in London. Janie was a lifelong employee of State Farm for 37 years.

Cookie, as she was fondly known, will be missed by her many CIPA friends and State Farm co-workers, and for touching the lives of those she met.

Bankruptcy Reform Or, There and Back Again

Larry G. Ramey, Esq.



Beginning in the early 1990s, Congress began the process of reforming bankruptcy laws and practices to address issues unresolved from the major overhaul of bankruptcy law and procedure in 1979. The creation of the National Bankruptcy Reform Commission in 1994, a commission comprised of some of the best and brightest in the bankruptcy arena, was the first step to gathering information and proposing revisions to the Bankruptcy Code.

In the years following the 1998 elections, a major push by several Congressmen led to the introduction of legislation designed to address an expanding bankruptcy caseload and what some in Congress perceived as too easy an access to debt elimination. Finally approved in 2005, the Bankruptcy Reform Act (BRA) contained few of the nearly 100 recommendations of the Commission, but managed to adopt nearly all of the demands of credit card issuers and financial institutions. The Act became effective on October 17, 2005.

After a record number of bankruptcy cases were filed in 2005, (2,078,415), the total number of bankruptcies in 2006 fell to 617,660. New cases in 2007 rose sharply and again in 2008. Bankruptcy cases in 2009 are roughly 30% higher than the year before, resulting in a what is expected to be another record number of bankruptcy cases for the calendar year. Even more are expected next year. Millions of people who were just hanging on financially, living paycheck to paycheck, have lost their jobs and are facing the prospect of filing for bankruptcy.

This is surprising news to many who believed that the amendments to the Bankruptcy Code in 2005 would severely curtail the number of bankruptcy cases being filed, especially under Chapter 7. There is even a study by the Federal Reserve Bank of New York that concludes that the Bankruptcy Reform Act exacerbated the current economic crisis by contributing "to the destabilizing surge in subprime foreclosures by shifting risk from credit card and auto lenders to mortgage lenders."¹

In any event, Chapter 7, the liquidation form of bankruptcy and the most common form of bankruptcy, is still alive and booming. Nearly all of my clients who filed for Chapter 7 before the BRA went into effect would still be eligible to file today. In fact, due to the interplay of IRS and other statistical criteria, there are some clients who qualify today who would have been ineligible for Chapter 7 under prior law. The process requires more supporting documentation, more pre-filing review and investigation by the attorney, and is, of course, more expensive than pre-BRA, but still provides the relief being sought by distressed Debtors.

What Chapter 7 can do: eliminate run-of-the mill credit card debt (look out for charges in excess of \$5,000 within the year preceding the filing, and any charges within 90 days of filing); eliminate medical debt; eliminate deficiency claims from repossessed vehicles or foreclosed (or short-sold) properties; and eliminate some old tax debt (first hurdle is that it be 3 years after the return for that tax

year was due - second hurdle is that it be more than 2 years since the return was actually filed; look out for recorded tax liens!).

What Chapter 7 cannot do: eliminate secured debt; eliminate recent tax debt; prevent foreclosure sales indefinitely; force lenders to negotiate; eliminate child support debt or debts for student loans; permit Bankruptcy Judges to write down or reduce secured debt.

Finally, the BRA also eliminated 'Chapter 20' bankruptcies: a common practice where a Chapter 7 case would be quickly followed by a Chapter 13 to continue the automatic stay and to repay debts not dischargeable under Chapter 7. Now Chapter 7 Debtors must wait four years to file a Chapter 13 case and eight years to file another Chapter 7.

1"Seismic Effects of Bankruptcy Reform," Federal Reserve Bank of New York, Staff Report No. 358, November 2008, revised February 2009.

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Mr. Ramey practices exclusively in the fields of estate planning and bankruptcy in solo practice in San Diego, Doctorate from the University of Illinois. He was admitted to practice in the State of Illinois in 1979 and in the State of California in 1989. Mr. Ramey is a member of the State Bar of California as well as a member of the San Diego County Bar Association. He has served as a volunteer attorney for the San Diego County Bar Association Volunteer Lawyer Program, AIDS Legal Clinic and is the former co-chair of the Board of Directors of San Diego Lesbian Gay Bisexual Transgender Pride.



2009 NALA Convention
a/k/a
Some Things Never Change...

Debi D. Taylor, CLA

Some things never change...Deb Monke made an appearance with her "boot" on. I made a bee-line for the nearest pool. Carolyn Pitts had walking shoes ever-near so she could explore the territory as soon as her classes were adjourned.

San Diego was 70 degrees every day and there was not a cloud in the beautiful blue sky. The NALA Convention offered some of the finest presentations in its history. Old friendships were renewed and the experience of creating new acquaintances was started. Some things never change...

In presenting the 34th consecutive Convention & Exhibition, NALA succeeded in doing what it always does. It put on a premier conference. Plain and simple. The speakers were all top-notch (more about that in a moment), the city was top-drawer, the property was tops in its category, and the entire week was top-shelf. The Earlybird Reception and Orientation was a delight. The Region IX NALA Affiliated Associations sponsored this evening and it was a tremendous success. Attendees met on an open-air deck to “meet-n-greet” their NALA compadres. It was low-key but filled with the excitement of anticipation of the coming week.

Down to business with the Keynote Address on Wednesday morning. Joseph Dunn, MD, Chief Executive Officer of the California Medical Association gave rousing opening remarks. From there, attendees choose CLE sessions of their choice.

I would be remiss at this juncture if I did not mention and take personal pride in adding here that one of the speakers, Counsel Cheryl Denise Jackson of State Farm Corporate Law Department, was “voted” the most outstanding speaker of the convention. Ms. Jackson presented a three day H.R. Institute entitled *Are you Smarter than an Employer Lawyer?* As someone who attended that class I can attest to the fact that it was exceptional.

Also not to be missed was the Litigation Institute – Mock Trial. A highly attended session that offered up-to-date trial skills highlighted by a mock trial. The materials came from the National Institute for Trial Advocacy. Course participants used the roles of paralegals, witnesses, experts, prospective jurors and jurors.

The Entertainment Track offered such fare as “Branding,” “Inside the Federal Triangle with Hollywood Guilds,” and New Media and the Guilds.” Of course expert Virginia Koerselman was a popular return guest hosting “Legal Research, Written Communication, and Judgment and Legal Analysis” in the Essential Skills Track.

Southern District of California Chief Bankruptcy Judge Peter Bowie (a personal friend) made me proud when he presented “Inadvertently Disclosed Privileged Documents” as the closing presentation on Saturday morning. It’s not easy being the last presentation and I’m pleased to say he kept the interest of those still in attendance. One hour of ethics credit is always an incentive!

And FOOD. Can we talk food? What Conference would be complete without some fabulous food? The Westin was a wonderful property that offered both healthy (it was southern California) fare and its share of a mighty fine bacon burger. Every evening meal I had was outside under a striped umbrella (there must be a statute to that effect).

Just the atmosphere alone made everything taste better. I would tell you how good the mojito’s were at the Westin but this is a family show so you will just have to take my word for it. One of the best restaurants in the country is Top of the Market in San Diego. It did not disappoint. We watched barges arrive from overseas as we dined. Sailors walked the area with their best mates. It was a magical evening.

NALA is to be congratulated for, once again, providing an outstanding conference. It must be hard to be them. Their consistent level of excellence is a difficult standard to meet and exceed each year yet they do it. Kudos all around. Some things never change.

If you missed the Convention this year I highly recommend you mark your calendar right now for July 14 – 17, 2010. Jacksonville, FL is calling your name.



A Pro Bono Experience

Ann G. Hill, ACP

On August 31, 2009 I realized a long-time dream of mine. Several years ago, after attending a session at the National Association of Legal Assistants (“NALA”) Conference, I returned home with the dream of establishing a paralegal pro bono program locally. A Pro Bono Committee was added to CIPA’s list of committees and I readily accepted appointment as the committee chairperson. Following numerous meetings and discussions, Prairie State was able to put together a one-day training session for interested paralegals. The focus of the session was to provide training for paralegals interested in providing pro bono representation for Prairie State clients seeking social security disability benefits. During this session, information was presented about the hearing and appeal process. Presenters included a representative from the local Social Security office, an Administrative Law Judge and Prairie State’s supervising counsel.

Following the one-day training session, I received my first assignment. This assignment fell short of my expectations when I learned that the client had a conflict with my current employer. But I did not wait long for another assignment. I met with my new client and completed a screening interview, collected medical and school records and reviewed the social security file. An indepth review is always completed before making a decision to represent the client. Prairie State has limited resources and must make every effort to manage those resources carefully. If after a thorough review, it is determined that the client has a reasonable possibility of qualifying for SSI, Prairie State will accept the case. Once I had reviewed all of the information available to me, I met with Prairie State’s Supervising Attorney Stacey Tutt. Stacey was very helpful and provided much needed supervision. We discussed the record and made a decision to represent the client.

Prairie State’s help to the client is not limited to the appeal hearing. In response to Stacey’s suggestion, I contacted the client and referred him to an occupational development agency that provided the client with an assessment and work in a limited capacity. Stacey pointed out that, even if the client was not ultimately awarded benefits, having the opportunity to work in a supported employment environment would improve the quality of the client’s life. The client entered the program and was employed. The client was placed in a job that entailed placing small labels on items such as canned goods, earning over \$400 during the first two months on the job. The client had a positive work experience in a closely supervised setting. Although this wasn’t a “living wage,” it was income for the client, did not interfere with the client’s eligibility for SSI benefits, and demonstrated for the ALJ that the client had a desire to work.

Finally, following months and months of waiting, notice of the appeal hearing was received. I met with Stacey to review the record and develop our case. I prepared a written argument that Stacey reviewed and assisted in finalizing. As we traveled to Peoria to the hearing location, the reality of the situation was unnerving. I was going to a hearing to represent a live human being. This was a human being with real needs. The thought that his future rested in my hands was overwhelming! I was fortunate to have Stacey there with me every step of the way.

Stacey openly admits that Prairie State’s clients are always difficult cases. If they were slam dunk cases, they wouldn’t have gone on to the appeals process. The reality is that approximately only 30% of SSD and SSI applications are approved. This means that the remaining 70% of these cases are denied. Of those cases denied, a portion are continued on through the appeals process. And it isn’t so much whether the client is in need. Rather, it is whether or not the client’s disabilities fit within one of the listed disabilities set forth in the agency’s schedule of listings. In this case, the client’s I.Q. was just a little over the top of what would have qualified him per the listings. This meant that we had to identify another listing. Our argument, while it didn’t immediately bring forth a favorable decision by the ALJ, did convince the ALJ that additional psychological testing was needed. Following additional assessment ordered by the ALJ, our client received a favorable determination at a supplemental appeal hearing.

Hallelujah! It's hard to describe the jubilation that I felt on the ride back to Bloomington! The ALJ awarded our client benefits, including back benefits through 2006. I was so happy to be a part of something that resulted in a significant improvement in the circumstances of our client. Here was a truly needy individual who, without our assistance, may not have been able to obtain benefits. We actually made a difference in this person's life and the quality of his life will be improved largely because of our efforts.

I was excited for my client, but I didn't walk away empty handed. I learned much from this experience. Sitting in a one day training session did not prepare me adequately to represent a client in an appeal matter. Going through the motions under the close supervision of the supervising attorney was definitely a growing experience for me. In my current position as a corporate paralegal, I might never have had the experience of interviewing and screening a client, drafting an argument or appearing before a judge in a hearing. These activities have aided my professional development and given me a new perspective on the legal profession.

I would encourage all of you to consider taking pro bono assignments through Prairie State Legal Services. There are many ways in which you can volunteer for pro bono assignments. You can assist during public law clinics intended to provide walk-in services for low income residents and senior citizens. You may even want to pair up with a pro bono attorney providing assistance with drafting documents, file management and other duties in connection with pro bono casework. Whatever the activities, I can guarantee that you will benefit from the experience. And you will be helping a person in need of legal assistance. You just might make a real difference in their quality of life.

Any paralegals interested in pursuing pro bono opportunities should contact Stacey Tutt, Supervising Attorney, Prairie State Legal Services, 416 West Washington Street, Bloomington, Illinois 61701, (309) 827-5021.

